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Docket No.: 1459-011

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoke Min Sin et al

Serial No. 09/196,161

Filed: November 20, 1998

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Group Art Unit: 1645

Examiner: N. Minifield

For: A RECOMBINANT VACCINE AGAINST FISH INFECTIOUS DISEASES

#25
CD
8-4-21

DECLARATION UNDER 37 CFR 1.131

Honorable Assistant Commissioner

For Patents

Washington, D. C. 20231

Sir:

We, the undersigned authors of the published article, "He, et al. PROTECTION OF GOLDFISH AGAINST *ICHTHYOPHTHIRIUS MULTIFILIIS* BY IMMUNIZATION WITH A RECOMBINANT VACCINE, *Aquaculture*, 158 (1997) 1-10 hereby state:

That we are the true and complete authors of the contents of that article;

That three of us, namely:

Yoke Min Sin;

Toong Jin Lam; and

Zhiyuan Gong

are the correctly named inventors of the subject matter claimed in the above identified patent application;

That the other three of us, namely:

Jiangyan He;

Zhan Yin; and

Guoliang Xu,

although properly authors of the referenced publication, are not inventors of the subject matter claimed in the above identified patent application;

That the above identified publication was contained in Volume 158 of Aquaculture, which volume was mailed out to subscribers on December 17, 1997 and was made available to the general public on the same date;

That the library of The National University of Singapore received its first copy of this publication on January 16, 1998;

That on-line versions of this article were first available to the public on February 13, 1998;

That the date of first public availability of this article was less than one (1) year prior to the filing date of the above identified patent application; and

That, since the effective publication date of the referenced article was less than one year prior to the effective filing date of the instant application and since the publication is by the instant applicants, at least insofar as it contains subject matter being claimed in the instant application is

concerned, the He et al. article is not a valid reference against the patentability of the claims of the above identified patent application

That we hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant application or any patent issued thereon.

Respectfully submitted,

Jiangyan He

Date

Zhan Yin

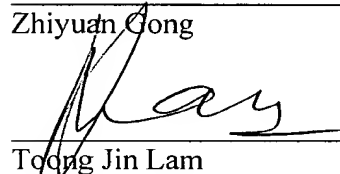
Date

Guoliang Xu

Date

Zhiyuan Gong

Date



Tong Jin Lam



Date



Yoke Min Sin



Date